

CASE NO. 08cv 1589

ATTACHMENT NO. 16

EXHIBIT

TAB (DESCRIPTION)

1 A. I don't remember.

2 Q. Well, do you remember whether or not you
3 asked him at approximately what time he saw these
4 family members?

5 A. He told me he saw them some time when he
6 was walking his girlfriend Jackie home.

7 Q. Do you remember whether or not you asked
8 him what time that was?

9 A. No, I don't remember.

10 Q. Whether or not-- and I am speaking of
11 the event of August 1st-- you asked him
12 approximately what time he saw the young lady and
13 asked her to get some candy from the candy man?

14 A. That was some time around noon.

15 Q. When you say, "around noon" is that what
16 he said or what you remember?

17 A. That is what I remember him saying.

18 Q. Do you remember where he saw her at?

19 A. Somewhere on the street where he lives.

20 Q. When you say, "somewhere on the street
21 where he lives," do you remember whether or not
22 you asked him exactly where it was?

23 A. I don't remember if I asked the exact
24 address, no.

1 Q. Do you remember whether or not you asked
2 him at all exactly where it was?

3 A. I asked him where he saw her at. He told
4 me on the street by his house.

5 Q. Thank you.

6 Would I be correct in assuming that
7 likewise I believe you said on August 1, he
8 allegedly saw her again, right?

9 A. That is right.

10 Q. Am I correct in assuming that your
11 investigation and your questioning proceeded like
12 you have been describing, you didn't ask him the
13 exact location, correct?

14 A. Yes, I did.

15 Q. I had asked him where he saw her.

16 Q. And what did he say?

17 A. He said he saw her in front of his house,
18 she was talking to his nephew.

19 Q. And did you ask him his nephew's name?

20 A. I don't remember if I did or not.

21 Q. Could his nephew have been named Chew?

22 A. As well as any other name, yes..

23 Q. When you say, "as well as any other
24 name"--

1 MR. MURPHY: Objection.

2 THE COURT: Overruled.

3 MS. PLACEK: In this investigation of a
4 murder, did you ask whether or not his nephew--
5 for his nephew's real name?

6 A. I don't recall.

7 Q. Do you recall whether or not you asked
8 him where his nephew lives, or was that as well as
9 anyplace else?

10 A. I don't remember.

11 Q. Well, would I be correct in saying-- and
12 let me also ask you this: Whether you asked
13 Mr. Hendricks whether or not he saw the girl after
14 that date and time, I'm speaking of August 1st?

15 MR. CASSIDY: Objection. This is several
16 questions. I don't mean to be objecting to
17 interrupt but there are several compound
18 questions.

19 THE COURT: Do you understand the
20 question, Mr. Baker.

21 THE WITNESS: No, Judge, not the entirety
22 of it.

23 MS. PLACEK: Let me ask you this: In
24 your investigation did you ask Mr. Hendricks

1 whether or not he saw the girl after 9:30, if you
2 recall?

3 A. What happened after 9:30, I don't
4 understand?

5 Q. After 9:30, August 1st?

6 A. After I talked to him I asked him if he
7 saw her again, he said no.

8 Q. Did you make question of that fact?

9 A. Make question?

10 Q. Simple, Officer--

11 MR. CASSIDY: Objection, Judge, relevance.

12 THE COURT: And argumentative.

13 MR. CASSIDY: Sure is.

14 MS. PLACEK: Officer, let me ask you
15 this: In this investigation, approximately how
16 long did you speak to the defendant?

17 A. Approximately an hour and-a-half.

18 Q. And in that hour and-a-half, am I correct
19 in saying that you didn't put down with accuracy
20 of where he actually saw the girl?

21 MR. CASSIDY: Objection.

22 THE COURT: Objection sustained.

23 MS. PLACEK: Officer, did you ever ask
24 the defendant what the girl was wearing when, in

1 fact, he saw her?

2 A. I don't recall if I asked him what
3 clothing she was wearing, no.

4 Q. Do you recall whether or not you ever
5 asked the defendant whether or not she had changed
6 her clothes between the Twelve o'clock and the
7 9:30 sightings?

8 A. I don't recall ever asking him if she
9 changed her clothes, no.

10 Q. Do you ever recall whether or not you
11 checked out whether the defendant went to the high
12 school where he said he went?

13 MR. CASSIDY: Objection, Judge, to the
14 form of the question. I don't understand it.

15 THE COURT: If the witness understands,
16 he may answer.

17 THE WITNESS: Which high school?

18 MS. PLACEK: Well, the defendant did give
19 you a name of a gentleman he went to high school
20 with, correct?

21 A. He said he knew him from high school.

22 Q. Did you ask what high school the
23 defendant went to?

24 A. I asked him what high school and he said

1 Harlan.

2 Q. Did you ever check that out?

3 A. By going back to the basketball courts,
4 yes.

5 Q. When you say you checked it, that's how
6 you checked it out?

7 A. When it's 3 in the morning and he said he
8 saw them at a basketball court that is where I go
9 to check.

10 Q. So am I correct in saying, as the State's
11 Attorney pointed out, your entire investigation,
12 quite frankly, consisted of going places where
13 there might or might not be people there to check
14 out what you found out from the defendant during
15 the interrogation, correct?

16 A. Since they were his alibi, yes.

17 Q. Let me ask you this: When you say "since
18 they were his alibis" after that Three o'clock
19 time did you ever go back and try and check it out
20 further, yes or no, Officer?

21 A. No.

22 Q. Let me ask you this: Did you ever check
23 out where the defendant, in fact, and I am
24 speaking of going to the high school possibly when

1 it's opened, going to the high school he said he
2 went to and try and find out who Mike was??

3 A. Harlan High School is--

4 MS. PLACEK: Motion to strike. It's
5 non-responsive.

6 MR. CASSIDY: Judge, may he be able to
7 answer the question?

8 THE COURT: Miss Placek, there has been
9 an objection.

10 Can I hear the question again, Ms.
11 Reporter?

12 (Whereupon the record was
13 read as requested.)

14 THE COURT: Do you have an objection to
15 that question?

16 MR. MURPHY: Judge, we don't object to
17 the question. The officer was in the process of
18 answering it and Counsel interrupted.

19 MS. PLACEK: I will withdraw and
20 rephrase, Judge.

21 THE COURT: Put another question.

22 MS. PLACEK: Did you ever go to the high
23 school the defendant said he attended and find out
24 if, in fact, he went there?

1 A. No.

2 Q. Did you ever, in fact, ever go to that
3 high school with an idea to find out who Mike was?

4 A. No; no, I did not.

5 Q. Let me ask you this: You spoke of going
6 to two schools, correct?

7 A. No, I spoke of going to two places where
8 basketball courts were at.

9 Q. Well, in those two places, how long of a
10 time were you at the first place?

11 A. Ten minutes.

12 Q. Did you have a picture of the defendant?

13 A. Yes, I did.

14 Q. And when you had a picture of the
15 defendant, did you, in fact, ask those several
16 people for their names?

17 A. No, I didn't.

18 Q. Thank you.

19 The second place there was no one there,
20 correct?

21 A. Right.

22 Q. Officer, how long were you totally
23 including the ten minutes you were at the place
24 where there was people involved that morning with

1 looking for people that the defendant had told you
2 about?

3 A. Several hours.

4 Q. When you say "several hours" we have ten
5 minutes accounted for at the first place, correct?

6 A. That is correct.

7 Q. Well let's talk about the second place.
8 How long did you spend there?

9 A. I just don't remember. It takes time to
10 travel.

11 Q. Would it be correct in saying that in
12 truth the majority of those several hours that you
13 spent weren't in speaking to people or going to
14 people's homes or even in asking people on the
15 street, but in travel time?

16 A. Yes.

17 Q. So actually would it be correct in saying
18 that in total ten minutes of those several hours
19 was all you did in the real investigation
20 involving this case, the rest was spent in travel
21 time?

22 MR. CASSIDY: Objection, Judge,
23 argumentative.

24 THE COURT: Overruled.

1 MS. PLACEK: Is that correct?

2 A. No.

3 Q. Well, let's talk about it. You didn't
4 talk to anybody at the second place, correct?

5 A. That is correct.

6 Q. How long were you at the second place?

7 A. There was no one there. Two minutes.

8 Q. So now we have twelve minutes.

9 MR. CASSIDY: Objection, Judge, to her
10 comment.

11 THE COURT: You can calculate it in your
12 head.

13 MS. PLACEK: I will try, Judge; I will
14 try.

15 Q. Twelve minutes you were in total at the
16 two places, is that correct?

17 A. Approximately.

18 Q. Now, I believe you said the sun was
19 dawning in the sky when you were at the second
20 place, correct?

21 A. That is correct.

22 Q. Approximately what time did you get off
23 work that date, time in question?

24 A. I didn't.

1 Q. You stayed all way?

2 A. Day.

3 Q. Yes. Am I correct in assuming that you
4 didn't leave until 12 midnight?

5 A. No, I said longer than that.

6 Q. Well, you stayed the following day,
7 correct?

8 A. That is correct.

9 Q. So am I correct in saying that, in fact,
10 you started work at approximately Four o'clock on
11 August 8, 1988 and you stayed until the hours of
12 August 10, correct?

13 A. That is correct.

14 Q. And you were without sleep, correct?

15 A. Correct.

16 Q. And you functioned fine, correct?

17 MR. CASSIDY: Objection.

18 THE COURT: Overruled, he can tell us.

19 THE WITNESS: Yes.

20 MS. PLACEK: Would it be correct in
21 saying on August 10th you not only functioned
22 fine, but you didn't leave until 11:30 at night.

23 MR. CASSIDY: Objection, relevance.

24 THE COURT: Well, we are trying to find

1 out whether his mind was functioning after being
2 up 36 hours or so, which is relative to the
3 quality of his investigation and the credibility
4 of it. Now, it may not have much, but it is
5 relevant, just as relevant.

6 MR. CASSIDY: Sure, Judge, if he is doing
7 something.

8 THE COURT: Well, he didn't stay up just
9 to see if he could be awake all that time, Mr.
10 Cassidy.

11 MS. PLACEK: Is school over, Judge?

12 MR. CASSIDY: Objection.

13 THE COURT: Ms. Placek, those comments
14 are not necessary.

15 MS. PLACEK: I apologize, Judge.

16 Q. On August 10th, would it be correct in
17 saying did you sign out August 10th or did you
18 continue working August 10?

19 A. No.

20 Q. What time did you sign out August 10?

21 A. About 1 a.m.

22 Q. So at 1 a.m. August 10 would it be
23 correct in saying that you have worked straight on
24 this case alone from approximately 4 when you

1 checked in on August 8?

2 A. This case with all its variations, yes.

3 Q. And you had gone without sleep?

4 A. Yes.

5 Q. As you testified, and you had gone
6 without food?

7 A. I didn't starve myself, I stopped and
8 ate.

9 Q. How many times?

10 A. I don't remember.

11 Q. And by the way the August-- Well, let
12 me ask you this: By the way, you haven't been up
13 36 hours today, have you?

14 MR. MURPHY: Objection.

15 THE COURT: Objection sustained.

16 MS. PLACEK: Well, let me put it this
17 way, Officer, calling your attention to the
18 testimony today, am I correct in assuming that
19 there were certain things you couldn't remember?

20 MR. MURPHY: Objection, Judge.

21 THE COURT: Overruled.

22 MS. PLACEK: There are certain things you
23 couldn't remember?

24 A. Certain things, yes.

1 Q. Am I correct in assuming in order to
2 prepare yourself for testifying today that, in
3 fact, you read your reports, correct?

4 A. Correct.

5 Q. Several times, correct?

6 A. Correct.

7 Q. Not only several times, but you
8 overlooked the whole investigation of the Chicago
9 Police Department to prepare for any questions
10 that might or might not be asked, correct?

11 A. I looked over reports that I had
12 available, yes.

13 Q. Thank you.

14 By the way, again am I correct in
15 assuming that you have not been up 36 hours today?

16 A. That is correct.

17 Q. By the way, when we speak of 36 hours
18 previous to this four p.m. starting time, when
19 was the last time-- I'm not meaning to get
20 personal, so I will say sleep-- when was the last
21 time you went to sleep prior to the time you
22 started work on August 8th?

23 A. I don't know. I probably got up around
24 noon on that day.

1 MS. PLACEK: Thank you, Officer.

2 THE WITNESS: You are welcome.

3 MS. PLACEK: That's all, Judge.

4 THE COURT: Redirect?

5 REDIRECT EXAMINATION {}

6 BY MR. MURPHY:

7 Q. Det. Baker, during the course of the
8 conversation you had with the defendant, you asked
9 him what contact he had with the victim on the
10 date of August 1, 1988 and early morning hours of
11 August 2, 1988, is that correct?

12 A. That is correct.

13 Q. And the extent of contact he had with her
14 was on two separate occasions that he described
15 them to you, is that correct?

16 A. That is correct.

17 Q. That was it?

18 A. That is correct.

19 Q. And that was the focus of your
20 questioning you had with him as to what contact he
21 had with this girl, Denise?

22 MS. PLACEK: Objection, prior
23 consistency, Judge.

24 THE Court: Overruled.

1 MR. MURPHY:

2 Q. Is that correct?

3 A. That is correct.

4 Q. After he gave you this statement, you
5 attempted to verify it by going to these parks to
6 see if anybody saw him on the night before, is
7 that correct?

8 MS. PLACEK: Objection to the word
9 "verify," Judge.

10 THE COURT: Overruled.

11 THE WITNESS: That is correct.

12 MS. PLACEK:

13 Q. Were you able to find anybody who saw him?

14 A. No, I was not.

15 Q. Did you find people who were at the West
16 Pullman Park the night before?

17 MS. Placek: Objection.

18 THE Court: The objection is sustained.

19 MR. Murphy:

20 Q. Now, during the course of this statement
21 he gave you, he told you he met Michael Walker, is
22 that correct?

23 MS. Placek: Objection, that's not what
24 he stated, Judge. He said he saw Michael Walker.

1 THE Court: The objection's overruled.

2 MR. Murphy:

3 Q. What did he tell you with regards to
4 Michael Walker?

5 A. He had met Michael Walker during the
6 evening.

7 Q. And when did he say he saw-- met Michael
8 Walker?

9 A. Between traveling between basketball
10 games.

11 Q. That would have been on August 1, 1988 or
12 August 2nd?

13 A. No. That would have been August 2nd.

14 Q. And Det. Baker, you have been asked a
15 lot of questions about how much sleep you had this
16 particular night. You, in fact, worked past your
17 normal shift, is that correct?

18 A. That is correct.

19 Q. And when you worked past the time your
20 shift was supposed to end, why did you do that?

21 MS. Placek: Objection.

22 THE Court: The objection is sustained.

23 MR. Murphy:

24 Q. Well, during the time you stayed on past

1 the normal time your shift would end, did you work
2 on only one case?

3 MS. Placek: Objection.

4 THE Court: Overruled.

5 MR. Murphy:

6 Q. In fact, you worked on that other matter
7 which you described, is that correct?

8 A. That is correct.

9 Q. At the time that you handled that matter,
10 you thought there might be a relationship between
11 that matter and this matter, is that correct?

12 MS. Placek: Objection.

13 THE Court: Overruled.

14 THE Witness: That is correct.

15 MR. Murphy:

16 Q. Other than that matter and this case, did
17 you work on any other cases?

18 A. No, I did not.

19 Q. And during the course of time you were
20 completing your investigation or doing your
21 investigation on August 8th and August 9th, did
22 you prepare reports summarizing your activities
23 and the statement you received?

24 A. Yes, I did.

1 Q. And did you do that August 8th and August
2 9th?

3 A. Yes, I did.

4 MR. MURPHY: Nothing further, Judge.

5 THE Court: Recross?.

6 MS. Placek: A few questions.

7 RECROSS EXAMINATION {}

8 BY MS. PLACEK:

9 Q. So, it's not unusual for you to work
10 twenty-four hours past your shift?

11 MR. Murphy: Objection.

12 THE Court: Sustained.

13 MS. Placek:

14 Q. Well, Officer, do you remember when the
15 assistant State's Attorney was asking you
16 questions on direct examination?

17 A. Yes.

18 Q. Do you remember you saying that the
19 defendant told you he saw Michael Walker?

20 A. Yes.

21 Q. And at that time you used the word not
22 "met" but you used the word "saw" in answer to the
23 State's Attorney's questions?

24 A. He said he met Michael Walker.

1 Q. Did you understand my question?

2 Motion to strike; it's not responsive.

3 THE Court: The motion is granted.

4 MS. Placek:

5 Q. Isn't it correct that at that time under
6 questioning of the State's Attorney on direct
7 examination, you used the word "saw," correct?

8 A. I believe so.

9 Q. And do you remember about five seconds
10 ago, or even less, that I asked you whether or not
11 the defendant told you he saw Michael Walker, you
12 answered my question as "yes," correct?

13 A. Yes.

14 MS. Placek: Thank you.

15 Nothing further, Judge. Thank you.

16 THE Court: Anything further?

17 RE-REDIRECT EXAMINATION {}

18 BY MR. MURPHY:

19 Q. Det. Baker, when you prepared your
20 report summarizing the statement the defendant
21 gave you, did you write in your report--.

22 MS. Placek: Objection to anything he
23 wrote in the statement.

24 THE Court: Objection sustained.

1 MR. Murphy: No further questions.

2 THE Court: Anything further?

3 MS. Placek: No.

4 THE Court: Thank you, Mr. Baker. You
5 may step down.

6 THE Witness: Thank you, Judge.

7 THE Court: This matter is continued
8 order of court, February 14, One p.m..

9 MS. Placek: Your Honor, we've
10 subpoenaed, and we are telling you this for the
11 simple reason-- We filed a subpoena, we also
12 subpoenaed, if the Court remembers Officer
13 Kaddigen from the other day, the subpoena was
14 issued for today. We attempted to contact him.
15 If you remember the Court's comment to him is try
16 and keep in contact. I just ask if the State had
17 any contact?

18 MR. CASSIDY: I got a message that he
19 called. He left a number and asked did we need
20 him for today, I told him no.

21 MS. Placek: Well, I'm glad the State is
22 taking good care of our witnesses.

23 THE Court: Well, your case is ready to
24 go forth.

1 MS. Placek: I understand. But I would
2 like to talk to him before.

3 THE Court: Well, you didn't inform us of
4 that.

5 MS. Placek: Judge, we expected him to
6 call us.

7 THE Court: Mrs. Placek, if you expect a
8 Chicago Police Officer to call you in response to
9 your subpoena, you haven't been around very long.

10 MS. Placek: Judge, I'm glad the Court
11 knows where the bias is.

12 THE Court: The Court's adjourned until
13 tomorrow.

14 (WHEREUPON the trial of this
15 cause was adjourned and
16 continued to tomorrow, February
17 14, 1991.)

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF COOK)

4 IN THE CIRCUIT COURT OF COOK COUNTY
5 COUNTY DEPARTMENT-CRIMINAL DIVISION

6
7 THE PEOPLE OF THE)
8 STATE OF ILLINOIS)

9 vs)

No. 88-CR-12517

10 JEROME HENDRICKS)

11 REPORT OF PROCEEDINGS

12
13 BE IT REMEMBERED, that on the 14th day
14 of February, A.D., 1991, this matter came on for
15 hearing before the Honorable LEO HOLT, Judge of
16 said Court.

17
18 APPEARANCES:

19
20 (As heretofore noted.)
21
22
23
24

1 THE CLERK: Sheet 7, Line 1, Jerome Hendricks

2 THE COURT: Mr. Hendricks.

3 Both sides ready?

4 MS. PLACEK: Yes, Judge.

5 THE COURT: Are we waiting for Mr. Lufrano?

6 MR. PLACEK: I believe Mr. Lufrano is a little
7 detained, Judge. He is in the lockup.

8 THE COURT: Are you ready to proceed, Mr.
9 Cassidy?

10 MR. CASSIDY: Yes, Judge.

11 THE COURT: Call your next witness.

12 MR. CASSIDY: Thank you, your Honor.

13 (Witness sworn.)

14 THE COURT: That microphone is on. If you will
15 pull it over in front of you, speak directly into it,
16 keep your voice up, we will all hear you.

17 You may proceed, Mr. Cassidy.

18 MR. CASSIDY: Thank you, your Honor.

19
20
21
22
23
24

1 DET. JOHN YUCAITIS,
2 called as a witness herein, after having been first
3 duly sworn, was examined and testified as follows:

4 DIRECT EXAMINATION

5 BY

6 MR. CASSIDY:

7
8 Q Please state your name and spell your last
9 name?

10 A My name is John Yucaitis, Y-u-c-a-i-t-i-s.

11 Q And whom are you employed by?

12 A I am employed by the Chicago Department
13 of Police.

14 Q And what is your current assignment?

15 A Currently assigned to Area 2 Violent
16 Crimes.

17 Q How long have you been assigned there?

18 A I have been assigned there since February
19 of 1968.

20 Q And how long have you been a Police
21 Officer?

22 A 26 and a half years.

23 Q Calling your attention to the date of
24

1 August 9th of 1988, did you work that day as a Chicago
2 Police Officer, Detective?

3 A Yes, sir, I did.

4 Q And what watch were you on that day?

5 A The second watch, days.

6 Q And who is your partner?

7 A Detective Steve Brownfield.

8 Q When you started working that day, did you
9 have occasion to take part in an investigation of the
10 victim named Denise Johnson?

11 A Yes, sir, I did.

12 Q And did you have occasion, then, to go an
13 interview possible witnesses or go to certain
14 locations?

15 A Yes, sir.

16 Q And can you please tell the Court what
17 you did when you went to work that day?

18 A Basically after arriving to work that day,
19 I had been off on the 8th, the 9th, after rollcall, we
20 were apprised of the investigation at hand, the young
21 female that was found in the garage.
22
23
24

We talked with some of the investigation

1 gating officers that had been on overtime and
2 at approximately 10:00 o'clock, maybe some time after
3 10:00 that morning, my partner and I went to the area
4 of 117th and Princeton where we began just canvassing,
5 trying to talk to people, seeing if we could find
6 something that could aid us in our investigation.
7

8 Q And then did you then canvass the
9 area?

10 A Yes, we did.

11 Q Calling your attention, then, to
12 approximately 4:15 in the afternoon of the same
13 date, were you at Area 2 at this time?

14 A Yes, sir, I was.

15 Q And did you have occasion, then, to meet
16 a person now known to you to be Jerome Hendricks?
17

18 A Yes, I did.

19 Q Could you look around the court, Detective,
20 and see if you see Jerome Hendricks?

21 A Jerome is seated with that multi-colored
22 sweater and black shirt, hand on chin.
23

24 MR. CASSIDY: Let the record reflect an in-court
identification of the Defendant, your Honor.

1 THE COURT: The record may so reflect.

2 MR. CASSIDY: Q And did you talk to Mr.
3 Hendricks?
4

5 A Yes, sir, I did.

6 Q And who was present for that conversation?

7 A Initially, at this time, myself,
8 Detective Brownfield and Mr. Hendricks.

9 Q And where did the conversation take
10 place?

11 A The conversation took place in Interview
12 Room No. 1.

13 Q Which is in Area 2?

14 A Yes, sir.

15 Q And that would be approximately 4:15
16 p.m.?
17

18 A Yes.

19 Q Can you please tell the Judge how this
20 conversation then began?

21 A Basically after entering in the room,
22 I introduced myself and my partner to Mr. Hendricks
23 and informed him then of his rights and I did this
24 from my FOP book, I believe it's Page 79.

1 Q Do you have your FOP book on you?

2 A Yes.

3 Q Can you please produce it?

4 A Yes, sir.

5 Q Can you please read the rights as you
6 read them to Mr. Hendricks that day?

7 A I began by saying, do you understand
8 that you have the right to remain silent? And there
9 was no response, and I asked him, I said, could you
10 answer whether you understand after each right I
11 give you.
12

13 Q Did he respond?

14 A Yes, he did. He responded in the
15 affirmative. I don't recall if he used the
16 terminology "yeah," or "yes," but it was
17 affirmative.
18

19 I then said do you understand that
20 anything you say can and may be used against you in
21 Court or other proceedings.
22

23 I said do you understand that, again
24 he answered in the affirmative.

I then said, do you understand you

1 have a right to have a lawyer before we ask you any
2 questions and have him during questioning, and, again,
3 Mr. Hendricks answered in the affirmative.

4 I then said, if you could not
5 afford or otherwise obtain a lawyer and you
6 want one, a lawyer will be appointed for you and we
7 will not ask you any questions until he has been
8 appointed.

9 Do you understand that? And he
10 answered in the affirmative.

11 I then said if you decide to
12 answer now with or without a lawyer, you
13 still have the right to stop the questioning at any
14 time or to stop the questioning for the purpose
15 of consulting a lawyer, and he again answered in the
16 affirmative.

17 I then said you may waive the right
18 to advise of counsel and your right to remain silent
19 and you may answer questions or make a statement without
20 consulting a lawyer if you so desire.

21 Again, Mr. Hendricks answered in the
22 affirmative.

1 I then asked him do you understand
2 all of these rights that I have just read to you,
3 he again said yes.
4

5 I said do you wish to answer
6 questions at this time? He said yes.

7 Q Then what happened?

8 A At this time I said, Jerome, I said my
9 partner and I and everybody in this unit, the
10 exact words I don't recall, but just that we had
11 been checking your alibi that you gave us.
12

13 MS. PLACEK: Objection.

14 THE COURT: What is your objection?

15 MS. PLACEK: At this point it's a conclusion that
16 he made.

17 THE COURT: This is a conversation, this is
18 what he told and said to the Defendant. Whether
19 or not there is substance or truth what he is telling
20 the Defendant is another matter.
21

22 The objection is overruled.

23 THE WITNESS: He says we have been out in the
24 street all day and the one alibi, alleged alibi that
you gave, I said, is wrong. Detective Ryan had talked

1 to him and it doesn't verify your account. He
2 allegedly told Joanna Ryan that --

3 MS. PLACEK: Objection. Conversation between
4 Detective Ryan, Judge.
5

6 THE COURT: That part of it is sustained.

7 MR. CASSIDY: Q So, basically, you told him you
8 didn't believe his story?

9 A That is correct.

10 Q What, if anything, happened then?

11 A I asked him if he was hungry and he said
12 he was and I said, well, we will get something to
13 eat, because we were going to be working overtime
14 that day and I believe we got chicken, we ordered
15 chicken. I gave him a cigarette, I asked him if he
16 wanted coffee, he declined coffee, he wanted water,
17 I gave him cold water.
18

19 I said, Jerome, you haven't been
20 telling us the truth, you are holding something back,
21 and food and come at this time, he was eating.
22

23 I stopped asking him questions
24 regarding the homicide investigation while I was
eating, there was small talk about the weather and

1 incidental things.

2 I then began, I said you know you
3 haven't been telling us the truth, Jerome. He said
4 you are right, he said, but my past, if I told the
5 truth, my past would screw me up.
6

7 I said what do you mean? He said,
8 well, you know I have been in the penitentiary, I
9 just got out, I am on parole for rape now and people
10 in the neighborhood saw me with the girl.
11

12 I said what are you driving at,
13 Jerome? And he stated that it was either, I believe
14 it was Wednesday or Thursday or Tuesday or Wednesday,
15 which would have been the 3rd or 4th of August that he
16 was in the rear yard and he had been cleaning up
17 brnaches and trash that was in the back yard and
18 next door to him there is an abandoned garage and
19 he noted a cat on this abandoned garage and when he got
20 near the garage he said there was a very strong odor
21 emitting from this garage.
22

23 He says that he opened the service
24 door to this garage, looked inside and that he
observed the girl that was missing laying in the

1 corner.

2 He then said that he entered the
3 garage, he went up to her, he may have touched her, he
4 moved some bags but he couldn't tell anybody about
5 it because of his past, the fact that he was on
6 parole for rape and I said, Jerome, I still think
7 you are holding something back, I said did you
8 ever have sex with her, and he sort of started
9 thinking, didn't want to answer and then he said --

11 MS. PLACEK: Objection.

12 THE COURT: The objection is sustained.

13 MR. CASSIDY: Q Well, after you asked him the
14 question about whether or not he had sex with the
15 girl or not, did he answer your question immediately?

17 MS. PLACEK: Objection.

18 THE COURT: Overruled.

19 THE WITNESS: As to having sex with the girl?

20 MR. CASSIDY: Q Did he answer that question
21 immediately?

22 A No, he did not, sir.

23 Q How long -- Did he eventually say anything
24 after you asked him that question?

1 A Yes.

2 Q Approximately how much time lapsed from
3 the time that you asked him the question to the
4 time that he gave the response to that question?
5

6 A He had asked me and Steve, my partner,
7 Brownfield, that he wanted to think about it for a
8 while. I said fine. I closed the door, the door
9 is not going to be locked, I will be sitting by the
10 desk, either call me, if I don't hear you open the
11 door and stick your head out and let me know.

12 Q Did you tell him anything that he could have
13 possibly done as far as tests to the victim?
14

15 A Yes.

16 Q What was that?

17 A I told him that the young girl would be
18 posted and the results of an autopsy could and would
19 indicate possibly the presence of sperm if she had
20 sexual intercourse.
21

22 Q Did you tell him this before you left the
23 room?

24 A I believe I did, yes.

Q Okay.

1 And then you and Detective Brownfield
2 left the room?

3 A Yes, sir.

4 Q Did you close the door, then?

5 A Yes, I did.

6 Q Okay.

7 And then what happened?

8 A I think it was somewhere around 7:00,
9 a little after 7:00, the door opened and Jerome
10 pointed to me, "John," he said, "I want to talk to
11 you."

12 Q So what did you do, then?

13 A I says fine, I walked in the room and --

14 Q Did you go in by yourself?

15 A Yes. He didn't want to talk to Steve, he
16 just wanted to talk to me and I went in the room. I
17 closed the door, I said is there anything you want to
18 tell me? He says yeah, but he says can I get in trouble,
19 the exact words I don't recall, he inquired could he get
20 in trouble if he admitted to having sex with the
21 girl and I believe I responded to him by
22 saying in all probability, you are going to have some
23
24

1 problems.

2 With that, he then said that, well,
3 he said, well, I did have sex with her and he went on
4 to say that on Monday, which would have been the
5 first that he had left his home and he had met the
6 girl, Denise, and she had made a pass towards him
7 and told him how much she liked him and began hugging
8 and kissing him and pulled him into her gangway.
9

10 Once in the gangway, he says
11 she squeezed me and hugged and kissed me and took me
12 in the back yard and he described the back yard as
13 an abandoned car alongside a fence and he says
14 that Denise lead him to this location, that Denise
15 then dropped her pants and he dropped his pants to
16 his ankles and the two of them engaged in sexual
17 relations.
18

19 And I asked him if he had
20 ejaculated in her, and he said no, he did not,
21 that he withdrew and then I told him, you know,
22 Jerome, I explained to you before, I says the girl is
23 going to be posted in an autopsy, in all probability
24 it would reveal that there is a presence of sperm in
her and I think it was at this point where he was

1 saying if I tell you what really happened now, you
2 won't believe me, and I says, Jerome, all we want is the
3 truth, and he says, well, let me -- again he says
4 let me think about it. I said fine, I will be
5 outside the door, and I left him alone in the
6 room and I left.

8 Q Now, after some time or a short period
9 of time, did anything happen, then?

10 A Well, in between when I left the room the
11 second time, I had made, you know, the powers to be and
12 the other investigating officers aware of my conversa-
13 tions and what he had been telling me, each time telling
14 me a little bit more, little bit more, and it was
15 some time, I would say closer to 8:30 in the
16 evening, that he, again, called me and at that time
17 I had just got done explaining to Detective Joanne
18 Ryan that Jerome was coming around.

19 MR. PLACEK: Objection to what he said to
20 Joanne Ryan. It's irrelevant at this point. Also
21 hearsay at this time.
22

23 THE COURT: Not what he said, what this witness
24 said is not hearsay. Objection is overruled.

1 MR. CASSIDY: So what did you and Joanne
2 Ryan do?

3 A I, at this time, I then entered the
4 room, Interview Room No. 1, again, and I
5 brought Joanne Ryan with me and I introduced
6 Jerome to Joanne Ryan and I said Joanne is
7 working on the case along with me and I says do you
8 want to say anything else, and he says yes, I have been
9 thinking about it, I will tell you.
10

11 So Joanne and I sat down at the
12 table, Jerome, I believe, was seated on the bench and
13 Jerome began explaining that basically what he had
14 said to me earlier about having sex with the girl
15 in the back yard and after the sex act, he had gone out
16 on the street and allegedly the girl had followed
17 him out there.
18

19 Q While you were explaining this or while
20 he was explaining this, was he doing anything at this
21 time?

22 A To me he seemed like --

23 MR. PLACEK: Objection.

24 MR. LUFRANO: Objection.

1 MS. PLACEK: Conclusion, to me it seemed as.

2 THE COURT: Well, I take that as being a figure
3 of speech, but it will go out.

4 Just tell us what you noticed him
5 doing, not what it seemed to you. You can do that.

6 THE WITNESS: Okay, your Honor.

7 While Joanne and I were seated at
8 a table and talking to Jerome and he began relating,
9 again, the sex act in the back yard and leaving the
10 yard and the girl following him, he kept looking at
11 me and like putting his head down.

12 MS. PLACEK: Objection, like putting his head
13 down.

14 THE COURT: That is an observation that he could
15 well observe with his sense of sight. Objection is
16 overruled.

17 THE WITNESS: And I saw that he was starting
18 to communicate pretty well and I asked him, I said,
19 Jerome, am I making you uncomfortable, would you
20 feel better if I left the room, and he said yes, I
21 said okay.

22 Like I explained to you, Joanne is

1 working on the case, so I left Joanne Ryan alone with
2 him and at this time left the room.

3 MR. CASSIDY: Could I have just a moment,
4 Judge, please?

5 THE COURT: Sure.

6 MR. CASSIDY: No. One minute, Judge, please.

7 Thank you, Judge. Thank you,
8 Detective.

9 THE COURT: Cross?

10 CROSS EXAMINATION

11 BY

12 MS. PLACEK:

13 Q Detective, how long have you been a
14 Chicago Police Detective?

15 A Chicago Police Detective, since February
16 of 1968, Ma'am.

17 Q And how long have you been a member of the
18 police force, all together?

19 A 26 and a half years, Ma'am.

20 Q Now, in your 26 and a half years, I take
21 it you have worked a lot of overtime, like you
22 already mentioned, is that correct?
23
24

1 A Yes.

2 Q Would it be correct in saying, well, let
3 me ask you this.

4 How long have you worked in Area 2?

5 A Since February of 1968.

6 Q And would it be correct in saying that there
7 is nothing wrong with officers working in Area 2
8 who have been away for approximately 36 hours straight?

9 A Yes, Ma'am, that is true.

10 Q So, in other words, Officer, the Chicago
11 Police Department takes no care about whether or not
12 an Officer works without sleep for 36 hours, correct?

13 MR. CASSIDY: Objection, your Honor,
14 argumentative.

15 THE COURT: The objection is sustained.

16 MS. PLACEK: I will withdraw.

17 Officer, when officers work 36
18 hours without sleep, do they ever hallucinate or have
19 any ill effects?

20 MR. CASSIDY: Objection, speculative.

21 MS. PLACEK: If he knows?

22 THE WITNESS: I can only speak for myself and
23
24

1 I have never hallucinated, Ma'am.

2 Q And let me ask you this.

3
4 When you worked for some hours, I
5 take it you weren't taking any naps, this is
6 without sleep, correct?

7 A I catnap in the office.

8 Q I am speaking of 40 hours straight,
9 without any sleep whatsoever? Let's say 36 hours
10 straight without any sleep whatsoever, without these
11 catnaps, have you ever worked that long?

12 A Yes, Ma'am.

13 MR. CASSIDY: Objection, please.

14 THE COURT: The objection is usstained, Ms.
15 Placek. I don't understand the relevance. The
16 Officer didn't say he worked 36 hours.

17 MS. PLACEK: The State mentioned overtime and I
18 want to see exactly how much overtime we are
19 speaking of in this case.
20

21 THE COURT: Ask him.

22 MS. PLACEK: Q How much overtime did you put
23 in on this case?
24

A Well, I was still on --

1 Q Straight, I am speaking of straight?

2 A Can I answer the question?

3 Q Surely, Officer?

4 A When I began my initial interview with
5 Jerome, I was still on my regular shift. I am not
6 through until 5:00 p.m., Ma'am.

8 Q Did you leave at 5:00 p.m.?

9 A No, Ma'am, I did not.

10 Q How long did you stay?

11 A I stayed until, Oh, I would say about
12 midnight, maybe later.

13 Q How long, straight, were you up?

14 A Well, I believe if my memory serves me
15 right, I probably got up at 7:00 o'clock in the
16 morning on the morning of the 9th, I got to the
17 Office at 8:30 in the morning, probably 17 hours
18 before I left, I was up.

19 Q Straight, correct?

20 A Up, I got up.

21 Q Without sleep?

22 A Yes, correct.

23 Q Did you have any catnaps in the office?

1 A No, not during the daytime.

2 Q Let me ask you this, Officer.

3 Is Area 2 short of police officers
4 that it requires its officers to work, let's say,
5 36 hours straight?
6

7 MR. CASSIDY: Objection. Argumentative.

8 THE COURT: Sustained. Not relevant.

9 MS. PLACEK: Q Did you see shift changes?

10 A Did I see shift changes?

11 Q Yes, Detectives coming in and off duty?

12 A When I got in there in the morning, I
13 saw some midnight officers leaving. At 4:30 I seen
14 some afternoon Officers coming and when I left I
15 saw midnight men coming on.
16

17 Q Would that be Detectives, also?

18 A Yes, Ma'am.

19 Q Thank you. That is all on that.

20 Now, let me ask you this.

21 When you had a conversation with the
22 Defendant, am I correct in saying that the Defendant was
23 not under arrest?
24

MR. MURPHY: Objection, Judge.

1 THE COURT: Sustained, not relevant.

2 MS. PLACEK: It goes to the Defendant's cooperation
3 and motive. I present to the Court People versus
4 Lambert.

5 THE COURT: The objection is sustained.

6 MS. PLACEK: Q Well, Officer, was the Defendant
7 cooperating with you?
8

9 A He cooperated with me, yes, Ma'am.

10 Q You weren't forcing him in any way, were
11 you?
12

13 A No, Ma'am.

14 Q As a matter of fact, am I correct in saying
15 that before that date and time, you didn't know the
16 Defendant?

17 A I don't believe I did know.

18 Q And not only that, but the Defendant kept
19 saying to you that what he was worried about is that
20 if he admitted having sex with the girl, because of
21 his background, people would assume the worse, correct?
22

23 A No, you take that out of context, Counsel.

24 May I explain?

MS. PLACEK: I withdraw the question, Judge.

1 THE COURT: When he starts to answer, you can't
2 withdraw, but he has completely answered the question,
3 his answer was no, you took him out of context, that is
4 a complete answer.

5 Put another question.

6 MS. PLACEK: Q Let me ask you this, Officer.

7 How long, in total, did you speak
8 to the Defendant?

9 A I began, I believe, my initial conversation
10 with Jerome about 4:15. It wasn't a straight conversation
11 as I testified, I got him food and there was smalltalk,
12 there was no talk on the case in, I would have to guess,
13 maybe a half an hour, maybe 45 minutes, I don't know.

14 Q In total?

15 A I don't know, Ma'am, I am just guessing.

16 Q And when you spoke to him for a
17 half an hour or 45 minutes in total that night, am
18 I correct in saying that to the best of your knowledge,
19 he didn't know, I believe, the other Chicago Police Officer
20 you referred to as Joanne Ryan --

21 A Could I clarify, ask you a question,
22 Ma'am? When you are saying in total, I am confused
23

1 here.

2 Q Okay. Let me ask you this, then,
3 Officer.

4 When you state 45 minutes, was that
5 the 4:15 conversation?

6 A Yes, Ma'am.

7
8 Q Then after the 4:15 conversation, which
9 was approximately 45 minutes, when did you next see
10 him?

11 A As I stated, I believe it was shortly
12 after 7:00 p.m..

13 Q And at 7:00 p.m., do you know where the
14 Defendant was?

15 A Room 1.

16 Q And were you watching Room 1?

17 A I was in the immediate area, yes.

18 Q Was anybody speaking to him, at this
19 time?

20 A No.

21 Q So the Defendant was alone in Room No. 1,
22 correct?

23 A That is correct.
24

1 Q And you were watching the room, correct?

2 A Yes, Ma'am.

3 Q And while you were watching the room,
4 let me ask you this.

5 The Defendant wasn't handcuffed
6 at this time, was he?
7

8 A No, he was not.

9 Q How long did you speak to the Defendant at
10 7:00 o'clock concerning this case?

11 A I would have to guess maybe 15, 20 minutes.

12 Q After that, did you have an occasion to
13 speak to the Defendant about this case again?

14 A Yes, Ma'am.

15 Q When did you next speak to the Defendant?

16 A Next time was when I brought Joanne Ryan
17 in, which I think it was some, it was after 8:00,
18 maybe closer to 8:30.

19 Q Now, do you know how long the Defendant had
20 been at the station?
21

22 A Honestly, Ma'am, I do not.

23 Q Did you ask any of your brother officers,
24 before you started speaking to the Defendant, how long

1 the Defendant had been in the station?

2 A No, Ma'am, I did not.

3 Q Let me ask you this, also, Officer.

4 Am I correct in assuming that

5 it's at the 7:00 o'clock conversation when

6 you spoke to the Defendant alone, correct?

7 A Could you repeat that, please?

8 Q Am I correct in assuming it's at the

9 7:00 o'clock conversation that you spoke to the

10 Defendant alone?

11 A That is correct, Ma'am.

12 Q And am I also correct in assuming

13 that that is when he said I want to speak to John,

14 not Steve, correct?

15 A Ye called me John, yes.

16 Q Well, John is your name, correct?

17 A Yes, it is.

18 Q And Steve is your partner's name, right?

19 A Yes, it is.

20 Q And he didn't want to speak in front of

21 Steve, but he wanted to speak in front of you or talk
22 to you, correct?

1 A He asked for me only.

2 Q And let me ask you this.

3 To the best of your knowledge, before
4 you had any conversation with the Defendant, did he
5 know this young lady by the name of Joanne Ryan?
6

7 A I don't know if he did or not, Ma'am.

8 Q Well, you were in there when -- and I
9 am speaking about the little after 8:00 conversation when
10 she entered the room, did you introduce her to the
11 Defendant?
12

13 A Yes, I did.

14 Q Thank you.

15 Now, at that particular time, he
16 ejected you and wanted to speak to Joanne Ryan?

17 A I don't think he ejected me.

18 Q Let me ask you this.

19 Did he ask you to leave the room
20 and ask to speak to Joanne alone?
21

22 A No.

23 Q Did you leave the room?

24 A I asked him if he was uncomfortable, it
seemed to me --

1 MS. PLACEK: Motion to strike, non-responsive,
2 Judge.

3 THE COURT: The objection is sustained.
4

5 MS. PLACEK: Thank you.

6 Did you leave the room?

7 A Yes, Ma'am, I did.

8 Q Thank you.

9 By the way, the Defendant wasn't
10 handcuffed with Joanne Ryan, correct?

11 A No, Ma'am, he was not.

12 Q Now, calling your attention to approximately
13 the 4:15 conversation, I believe that you said that
14 this is the time and the longest conversation you had
15 with the Defendant when the Defendant spoke about
16 going in the garage, correct?
17

18 A Yes, Ma'am.

19 Q And I believe you said that you weren't
20 quite sure of the date that he said he went into the
21 garage?
22

23 A That is correct, Ma'am.

24 Q And am I correct in assuming that at
that particular time, you gave the Defendant nothing

1 to write on to write down what he was saying to you,
2 correct?

3 A That is correct.

4 Q And you gave him nothing to sign,
5 correct?
6

7 A That is correct, Ma'am.

8 Q And am I correct in assuming that also
9 you didn't have a tape recorder going in the
10 room just so you could get verbatim down the
11 conversation as it was stated?

12 A That is against police department policy,
13 Ma'am.

14 Q Officer -- Motion to strike as non-
15 responsive.
16

17 THE COURT: The objection is sustained.

18 MS. PLACEK: Q Officer, I take it you didn't
19 have a tape recorder going down to make sure that you
20 had put down or at least you had a verbatim conversation?
21

22 A That is correct, Ma'am.

23 Q Now, Officer, calling your attention,
24 again, to the 4:15 conversation, am I correct in
saying that you made a written report of this conversa-

1 tion?

2 A Yes, Ma'am.

3 Q And am I correct in saying that you hand-
4 wrote this written report?

5 A The written report was typed, it wasn't
6 hand written.
7

8 Q Typed, so I take it you weren't doing
9 it in the room when you were speaking to Jerome
10 Hendricks, typing while you were talking, correct?

11 A No, Ma'am, I was not.

12 Q And let's go one step further.
13

14 I take it that that typewritten
15 conversation that you did to memorialize this was done
16 some time after the conversation, correct?

17 A Yes, Ma'am.

18 Q Approximately how long after the
19 conversation?

20 A I believe the report was done about four
21 days after my conversation with Jerome.
22

23 Q Now, am I correct in assuming that that
24 report, done approximately four days after your
conversation with Jerome, was done from your memory,

1 correct?

2 A No, Ma'am, it was not.

3 Q Well, was it done from notes?

4 A Yes, Ma'am.

5 Q Well, you say notes. Where are those
6 notes today?

7 A I believe you have them. I don't have
8 them.

9 Q Well, when you say you believe I have them,
10 in other words, am I correct in saying that you
11 wrote down everything Jerome said and everything that
12 you said?

13 A I wrote and took notes, yes, Ma'am.

14 Q Well, -- Motion to strike as non-
15 responsive, Judge.

16 MR. MURPHY: Judge -- Withdraw, Judge.

17 THE COURT: The motion is sustained.

18 MS. PLACEK: Q I take it in those notes, you
19 didn't write down everything that Jerome said to
20 you and everything that you said to Jerome, correct?

21 A Yes, Ma'am, you are correct.

22 Q And am I correct in assuming that those
23

1 notes, for approximately the 45 minute conversation,
2 and I am spekaing of the 4:15, is less than a page
3 and a half?

4 A Yes, Ma'am.

5 Q Would you say it's less than a page?

6 A I don't know, I haven't looked at
7 them in some time.

8 Q Well, Officer, did you look at those
9 notes in preparation for your testimony today?

10 A No, Ma'am, I did not.

11 Q Well, let me ask you this.

12 Officer, would it be correct in
13 saying that you summarized, even to give you the
14 benefit of the doubt -- Strike that. I will withdraw
15 that, Judge, that statement.

16 Officer, am I correct in assuming
17 that at best, you summarized the 45 minute conversation
18 in less than a page of hand-written notes, correct?
19 If you can recall?

20 A It's not what I can recall, it's my
21 answer.

22 Q Motion to strike as non-responsive.

1 THE COURT: Sustained.

2 MS. PLACEK: Q Officer, am I correct in assuming,
3 and, again, that you summarized, as you stated, a
4 45 minute conversation in less than a page and a half
5 of notes?
6

7 A No, Ma'am.

8 Q Well, was there more pages involved with
9 this 45 minute conversation?

10 A No, Ma'am.

11 Q So, in less than a page of notes, you
12 summarized that conversation, correct?
13

14 A No, Ma'am.

15 Q Well, Officer, was there more than a page
16 and a half?

17 A No, Ma'am.

18 Q Thank you.

19 Now, Officer, your page and a half of
20 notes is, in fact, a summary of your conversation that
21 you had with Jerome, correct?
22

23 A No, Ma'am.

24 Q It's the exact words?

A No, Ma'am.

1 Q Well, if it isn't the exact words question
2 by question, am I correct in assuming that it's a
3 summary of what you felt or you thought he said and
4 what you said to him?

5 A No, Ma'am.

6 Q You quoted his exact words?

7 A Yes, Ma'am.

8 Q When you say you quoted his exact words
9 in 45 minutes, it went down to approximately a
10 page and a half of notes?

11 A I didn't say that, Ma'am.

12 Q Well, in your written notes, did you
13 quote his exact words?

14 A I believe I quoted some of his exact
15 words.

16 Q So, in other words, am I correct in
17 assuming when you say you quoted some of his exact
18 words, you chose which words you were to quote and
19 which words you weren't, correct?

20 A I would say yes.

21 Q Well, let me ask you this.

22 You stated that you were taking

1 these notes -- By the way, are these the general progress
2 notes, so-called?

3 A Yes, Ma'am.

4 Q Were you writing them out when you
5 were speaking to Jerome?
6

7 A Not the whole time, no, Ma'am.

8 Q Well, let me ask you one step further.

9 Isn't it correct that you were
10 actually writing in your notebook when you were speaking
11 to Jerome and filled out these G.P. notes or the
12 General Progress Notes at a later time?
13

14 A Only when we are talking about the
15 incident.

16 Q Let's go one step further.

17 Officer, after you summarized in
18 the G.P. notes the 45 minute conversation with
19 Jerome, did you ever show those notes to Jerome and
20 ask him to sign it to say if that is a true
21 representation of the summary?
22

23 MR. CASSIDY: Objection, assumes a fact not in
24 evidence.

The Officer denies there was a

1 summarization of it.

2 THE COURT: Well, I don't suppose that that
3 impedes or means that this question is improper.
4

5 Some characterization has to be put
6 on and the objection is overruled.

7 MS. PLACEK: Q Officer, did you ever show the
8 summary of those notes to Jerome and, in fact, make
9 sure that you got it right?

10 A No, Ma'am.

11 Q Thank you.
12

13 Now, Officer, calling your attention,
14 again, to the 7:00 o'clock conversation, the 15 minute
15 conversation you had with Jerome --

16 A Yes, Ma'am.

17 Q Officer, did you also write notes on that
18 conversation?

19 A I took some notes, yes, Ma'am.

20 Q When you say "some notes," was that like
21 procedure with you deciding what was going down on
22 paper and without Jerome knowing what notes you took?
23

24 A I don't -- Could you repeat the question?

Q Surely, Officer.

1 The 15 minute conversation at
2 approximately 7:00 o'clock, was that conducted in the
3 same manner as the conversation at 4:15?
4

5 A No, Ma'am.

6 Q Well, Officer, let me ask you this.

7 Did you take notes?

8 A Yes, Ma'am.

9 Q Did you show those notes to Jerome?
10

11 A No, Ma'am.

12 Q Would it be correct in saying that those
13 notes cover a little less than a third of a page?

14 A I don't know how much they covered, Ma'am.

15 Q Well, let me ask you this.

16 When you say you don't know how
17 much they cover, to the best of your knowledge, did they
18 cover more than a third of the page?
19

20 A I can't answer that question, Ma'am.

21 Q Let me ask you this, also.

22 This is not a verbatim statement of
23 what was said during the conversation, correct?

24 A That is correct, Ma'am.

 Q And likewise, am I correct in assuming that,

1 in fact, you never showed that note to Jerome and
2 asked him to sign it to see if you had, in fact,
3 accurately used the right words to summarize?

4 MR. CASSIDY: Argumentative.

5 THE COURT: Overruled.

6 THE WITNESS: No, Ma'am.

7 MS. PLACEK: No, am incorrect or no, you never
8 showed it to him?
9

10 A I never showed it to him.

11 Q Would it be correct in saying that the
12 two processes, that is the 45 minute and the 15 minute
13 conversation that you had with Jerome covered less than
14 two pages of notes?
15

16 A I have to agree with you, I haven't seen
17 the notes in a long time, I don't recall exactly how
18 much space they covered.

19 Q As a matter of fact, would it be correct
20 in saying that not only that, but you abbreviated
21 words on this note-taking procedure,
22 correct?
23

24 A I always abbreviate.

Q And those abbreviations are known, they

1 are personal only to you?

2 A Only to me.

3 Q So, they are only known to you, they
4 can't be challenged in any way, is that correct?
5

6 MR. CASSIDY: Objection.

7 THE COURT: Sustained.

8 MS. PLACEK: Officer, as you stated, abbreviations
9 are only known to you, is that correct?

10 A I think any intelligent person looking
11 at the notes could decipher what I am trying to say.

12 MS. PLACEK: Motion to strike as non-responsive.

13 THE COURT: Overruled.

14 MS. PLACEK: Q Officer, when you say that, you,
15 at that time, considered Jerome an intelligent person,
16 didn't you?
17

18 A Yes, Ma'am.

19 Q And, so -- But yet you never gave him
20 the right to, in fact, look at those notes and okay
21 them to make sure that you got everything down right,
22 correct?
23

24 MR. CASSIDY: Objection, argumentative.

THE COURT: Overruled.

1 MS. PLACEK: Q Correct? Is that correct,
2 Officer?

3 A Yes, Ma'am, that is correct.

4 Q Now, Officer, you stated that, in
5 fact, the formal report that you spoke of earlier
6 as being typed was done some time later, correct?

7 A That is correct, Ma'am.

8 Q Approximately when was it done?

9 A I believe it was done on the 13th.

10 Q And the 13th, between the 13th and the 9th,
11 let me reverse that, Judge, just for the sake of
12 clarity; between the 9th and the 13th, I take it you
13 were also working on other cases?

14 A I will tell you very honestly, I don't
15 know what I was doing between the 9th and the 13th.

16 Q To the best of your knowledge and the
17 best of your experience, were you, in fact, working on
18 other cases?

19 A If I was at work, I would have been,
20 yes.

21 Q Okay. Thank you.

22 Now, Officer, am I correct in assuming

1 that it was not until the 13th that you sat down
2 and wrote your formal report, memorializing this
3 conversation, correct?
4

5 A Yes, Ma'am.

6 Q And am I also correct in assuming that since
7 Jerome was no longer -- Well, may I withdraw and re-
8 phrase, Judge?
9

10 Am I correct in saying that this
11 conversation that you had with Jerome, that you wrote
12 in, or excuse me, typed in your formal report, was,
13 in fact, a summarization of the summary that
14 was contained on the notes?

15 A No, Ma'am.

16 Q Well, Officer, let me ask you this.

17 As stated before, you stated
18 that, in fact, you took, typed on the 13th from the
19 notes that you took, correct?
20

21 A Could you repeat that question, please?

22 Q As you stated before, Officer, am I
23 correct in assuming that you based, typed upon,
24 in fact, the notes you took when you were speaking to
Jerome?

1 A I didn't understand. Based the type or
2 case the type?

3 Q You took the type and based what was
4 stated within on the summary -- I am sorry, Officer,
5 are you ill?

6 A I don't understand what you are saying.

7 Q Let's start over.

8 You made a typed report,
9
10 correct?

11 A Yes, Ma'am, I did.

12 Q And you said to me a few seconds ago
13 that, in fact, you made the typed report based upon
14 the written notes of the 7th, or strike that, the
15 9th, correct?

16 A Yes, Ma'am.

17 Q And am I correct in assuming that you
18 stated that these notes, the notes of the 7th were not
19 verbatim, correct?

20 A Notes from the 9th?

21 Q The notes from the 9th, that they were
22 not verbatim?

23 A Yes, Ma'am.

1 Q And not only were they not verbatim, but am
2 I correct in saying that the report, and I am speaking
3 of the typed report, was not in fact a verbatim report,
4 correct?

5 A No,

6 Q No, I am incorrect or no, I am correct?

7 A No, Ma'am, it's not a verbatim report.

8 Q As a matter of fact, am I correct in
9 assuming that although typed, it is a shorter, if
10 you will, paper space than the notes that you took when
11 you were actually speaking to Jerome?
12

13 A I don't think so.

14 Q Well, let me ask you this.

15 How many pages did they contain?

16 A What pages?

17 Q The typed pages?

18 A I don't know, Ma'am.

19 Q By the way, Officer, when you say you
20 don't know, this is the report that you, in fact,
21 typed?
22

23 A I didn't type the entire report.

24 Q I see.

1 So this is only a portion of the
2 report? Am I correct? And if you know or don't
3 know whether or not on the typed report there is any
4 quotation marks on that report?

5 A I believe there is.

6 Q And where are those quotation marks
7 located?

8 A I have to see the report to give you that
9 answer, Ma'am.

10 Q Okay. Thank you.

11 Now, Officer, calling your attention
12 again to that report, and I am speaking of the report
13 that was later typed, was it, in fact, based upon the
14 notes?

15 A In part, yes.

16 Q And am I correct that, in fact, the words
17 contained on the typed report are not verbatim of
18 the words contained on the notes?

19 A My notes you are referring to?

20 Q Your notes, Officer?

21 A I would have to answer that question
22 yes.

23 Q So, in other words, the words are
24

1 different, correct?

2 A Yes, Ma'am.

3 Q So, am I correct in saying that you,
4 again, summarized your notes in type?

5 A I don't know how wo answer that question.

6 Q Well, yes or no, Officer, that is how
7 you answer it.

8 MR. MURPHY: Judge, I will object.

9 THE COURT: The objection is sustained.

10 MS. PLACEK: Q Officer, are the words contained
11 within the typed report the same as the written
12 notes?

13 A No, Ma'am.

14 Q Am I correct in saying that they are not
15 the verbatim words used by yourself or Jerome
16 Hendricks?

17 A Some are.

18 Q When you say "some are," are there
19 complete sentences in fact quoted?

20 A I don't recall, Ma'am, I believe there is.

21 Q Officer, would it be correct in saying,
22 in fact, that you summarized your notes on the

1 typewritten page?

2 A I don't know how to answer that question,
3 Ma'am.

4 Q Well, let me ask you this.

5 Did you write the typewritten page,
6 did you compose the typewritten page?

7 A Which page?

8 Q The typewritten page contained in the
9 statement?

10 A Which statement?

11 Q Ovvier, how mahy statements did you
12 take that night?

13 A I took two statements.

14 Q And after taking those two statements, did
15 you, in fact, summarize them on the typewritten
16 page?

17 A I typed them on a typewritten paper.

18 Q And they are not verbatim, the words of
19 yourself or the Defendant, is that correct?

20 A Yes, Ma'am.

21 Q And they are not the verbatim copy of your
22 notes, correct?

1 A No, Ma'am, they are not.

2 MR. MURPHY: Objection. This is the fourth
3 time this question is asked.
4

5 THE COURT: Sustained.

6 MS. PLACEK: Q I take it you didn't give,
7 in fact, that typewritten page to Mr. Hendricks to
8 look at?

9 A No, Ma'am, I did not.

10 Q And I take it you never gave that typewritten
11 page to Mr. Hendricks to sign, correct?
12

13 A No, Ma'am, I did not.

14 Q In other words to make sure that you
15 wrote down everything he actually did say, correct?

16 A No, Ma'am, I did not.

17 Q Thank you.

18 Now, Officer, your partner was, in
19 fact, Officer Brownfield, correct?
20

21 A Yes, Ma'am.

22 Q To the best of your knowledge, did he
23 sign the general progress report? The notes?

24 A I don't know if he did or not. I usually
sign the form.

1 Q So, in other words, you affixed his name
2 down, correct?

3 A Yes, Ma'am.

4 Q And is it correct that his name is affixed
5 to the same part dealing with the 15 minute conversation
6 that you say you had with Jerome Hendricks?

7 A I don't know if it is. Possibly it is.

8 Q And, Officer, if you say possibly it is,
9 let me ask you this.
10

11 That would be incorrect because
12 Officer Brownfield wasn't even present when you had this
13 alleged 15 minute conversation with the Defendant,
14 Jerome Hendricks, correct?
15

16 A No, he was not.

17 MR. MURPHY: Objection.

18 THE COURT: The objection is sustained.

19 MS. PLACEK: Q Well, was Officer Brownfield
20 present for the 15 minute conversation with Jerome
21 Hendricks?
22

23 A No, Ma'am, he was not.

24 Q Thank you.

On your notes, since you affixed

1 Officer Brownfield's name on it, would it have, in
2 fact, reflected that he was present for the 15 minute
3 conversation?

4 A No, Ma'am, it would not.

5 Q So, his signature on the bottom, either
6 by you or himself, is not an attestation or a
7 confirmation of the report as being true and
8 correct?
9

10 A No, Ma'am, it is not.

11 MR. CASSIDY: Objection.

12 THE COURT: Objection is sustained. The answer
13 of the witness is stricken.

14 MR. CASSIDY: Thank you.

15 MS. PLACEK: Q Am I correct in assuming -- Well,
16 let me ask you, am I correct in saying that according
17 to your testimony today, Jerome Hendricks admitted
18 having sex with the girl, correct?
19

20 A Yes, Ma'am.

21 Q And he admitted having consensual sex,
22 correct?
23

24 A Yes, Ma'am.

Q Never during the conversations did he
say he forced the girl, did he?

1 A No, he did not.

2 Q He admitted not only having consensual
3 sex with the girl, he never admitted hurting the girl,
4 did he?
5

6 A No, Ma'am.

7 Q No, I am incorrect or no, he never --

8 A He never, did not.

9 Q He never said he killed the girl?

10 A Not to me, Ma'am, no.

11 THE COURT: I am sorry?

12 THE WITNESS: Not to me he did not.

13 MS. PLACEK: Q Now, also -- May I have one moment,
14 Judge?
15

16 THE COURT: You may.

17 MS. PLACEK: Thank you.

18 During your conversation with
19 Jerome Hendricks, and I am speaking specifically of
20 the 4:15 conversation, if Jerome Hendricks, and I am
21 speaking only of your action, would have got out of the
22 chair and left, would you have stopped him?
23

24 THE WITNESS: Yes, Ma'am.

MR. MURPHY: Objection.

1 THE COURT: Objection is sustained. Not
2 relevant.

3 MS. PLACEK: Q By the way, did you inventory
4 anything involving this matter?
5

6 A I don't believe I did, Ma'am.

7 Q That was Officer Ryan, if you know?

8 A I don't know.

9 Q You stated that you had Mr. Hendricks
10 in Interview Room 1, correct?

11 A Yes, Ma'am.

12 Q And Interview Room 1, is there a round
13 ring on the door -- or strike that. Is there a
14 round ring on the wall?
15

16 A Yes, Ma'am.

17 Q And that is used to handcuff people,
18 correct?

19 A Yes, Ma'am.

20 Q And as you stated, Mr. Hendricks was
21 not handcuffed in any way, is that correct?
22

23 A That is correct.

24 Q And is there, in fact, is there a doorknob
on the inside door?

A Yes, Ma'am.

1 Q Thank you.

2 By the way, Officer, at the particular
3 time that you were speaking to Mr. Hendricks about
4 the post, and I am speaking of the autopsy, you
5 talked about autopsy procedures, correct?
6

7 A Yes, Ma'am.

8 Q And you spoke, I believe, of the chances
9 of finding sperm, correct?

10 A Yes, Ma'am.

11 Q Officer, at this time, the autopsy
12 wasn't done, was it?
13

14 A To my knowledge, it was not done.

15 Q And, Officer, of your own personal
16 knowledge, you know now that no sperm was found inside
17 of the girl, is that correct?

18 MR. CASSIDY: Objection.

19 THE COURT: Objection sustained.

20 MS. PLACEK: If he knows?

21 THE COURT: How could he know, other than by
22 hearsay?
23

24 MS. PLACEK: Personal knowledge, if he read it
at a later date.

1 THE COURT: The objection is sustained.

2 MS. PLACEK: Thank you, your Honor. I believe
3 that is all we have.
4

5 THE COURT: Redirect?

6 MR. CASSIDY: No further questions, Judge.

7 THE COURT: Thank you, Mr. Yucaitis, thank
8 you very much.

9 MR. YUCAITIS: Thank you, your Honor.
10 Thank you.
11

12 (Witness excused.)

13 THE COURT: Call your next witness.

14 (Witness sworn.)

15 THE COURT: You may be seated, Ma'am.

16 That microphone is on. If you
17 will speak directly into it and keep your voice up,
18 we will all hear you.

19 You may proceed.

20 MR. CASSIDY: Thank you, your Honor.
21
22
23
24

1 DET. JOANN RYAN,
2 called as a witness herein, after having been first
3 duly sworn was examined and testified as follows:
4

5 DIRECT EXAMINATION

6 BY

7 MR. CASSIDY:

8 Q Would you please state your name and spell
9 your last name?

10 A Detective Joann Ryan, R-y-a-n. Star
11 4593, I am assigned to Area 2 Violent Crimes
12 Section of the Chicago Police Department.
13

14 Q And how long have you been so employed
15 there?

16 A I have been a police officer for 25 years.

17 Q And how long have you been in Area 2?

18 A 13 years.

19 Q Calling your attention to August 9th of
20 1988, were you working that day?
21

22 A Yes, I was.

23 Q And as a Chicago Police Detective?

24 A Yes.

Q What watch were you working that day?

1 A The afternoon shift.

2 Q Approximately some time in the afternoon,
3 did you have an occasion to interview a person known
4 to you then as Michael Walker?

5 A Yes, I did.

6 Q And later on in the afternoon, did you
7 have a conversation with Detective Yucaitis?

8 A Yes, I did.

9 Q Did you relate the contents of the
10 conversation to him?

11 A Yes, I did.

12 Q Calling your attention to approximately
13 8:30 p.m. on August 9th of 1988, were you
14 at Area 2 located in the City of Chicago?

15 A Yes, Ma'am

16 Q Can you please tell the Judge what happened
17 approximately that time?

18 A At 8:30 that night?

19 Q Yes?

20 A I was, I spoke, I had spoken with
21 Det. Yucaitis and he asked me, he was talking to us
22 about a suspect in the case of Jerome Hendricks and
23
24

1 Det. Yucaitis asked me if I would go into
2 the room and be introduced to Mr. Hendricks and speak
3 with him.

4
5 Q Did you then go into the interview room?

6 A Yes, I did.

7 Q Which interview room was this?

8 A Interview Room 1 located in Area 2.

9 Area 2 Violent crimes.

10 Q Then what happened when you entered the
11 room?

12 A Det. Yucaitis indicated to me that
13 Jerome had --

14
15 MS. PLACEK: Objection. Conversation.

16 THE COURT: The objection is sustained.

17 MR. CASSIDY: Just what happened, if you would,
18 Det. Ryan, when you entered the room.

19 A Det. Yucaitis introduced me to Jerome
20 Hendricks.

21
22 Q The person you refer to as Jerome Hendricks,
23 do you see him in Court today?

24 A Yes, I do.

Q Could you please point him out?

1 A Yes, the gentleman in the gray sweater.

2 MR. CASSIDY: Let the record reflect an in-
3 court identification of the Defendant.

4 THE COURT: The record may so reflect.

5 MR. CASSIDY: Q After this introduction, then
6 what happened?
7

8 A We began speaking with Jerome and Detective
9 Yucaitis was talking with him about being with the
10 victim on the day of the 1st of August, or the
11 evening.
12

13 Q All right.

14 A And Jerome indicated to us that he did, he
15 would rather talk with me alone than with both of
16 us.

17 Q After he indicated this, what happened?

18 A Detective Yucaitis left the room.

19 Q It was just you and the Defendant, then,
20 who were present in this interview room?
21

22 A Yes, that is correct.

23 Q What happened, then?

24 A I had known that he had been with the
victim, I don't recall that he knew her name.

1 MS. PLACEK: Objection as to past knowledge,
2 Judge.

3 THE COURT: The objection is sustained.

4 MS. PLACEK: Motion to strike.

5 THE COURT: That portion stricken.

6 MR. CASSIDY: Q Did the Defendant then tell
7 you what happened?
8

9 A Yes, he told me he had been with the victim
10 during the evening of the 1st of August, that he had
11 taken her down a gangway near her home at 11720
12 Princeton, there was a car parked behind that
13 address, he told me that he had sex with her at that
14 location.
15

16 He also told me that he had -- she
17 had been hitting on him all day and she had told him
18 that she wanted him and that she wanted to be with
19 him.
20

21 He said that after they had sex at
22 the car, he left and the victim followed him and ran
23 chasing him around the corner and said, "Come on with
24 me," and he said she ran ahead of him and went -- the
garage was located at 251 West 117th Street, he said

1 he walked up behind her, behind the garage. When he
2 got there, she opened the door and was inside and
3 when he went inside, she started to hug and kiss him
4 and she was squeezing his penis.
5

6 She then told him not to tell
7 anybody that she was with him, with her, or anything
8 was happening.

9 She then took off her, pulled down
10 her pants, he said she had one leg out of her pants
11 and pulled down her underwear and pulled her shirt off
12 her head.
13

14 He said that he removed his -- dropped
15 his shorts and undershorts to below his knee and that
16 he, again, had sex with her, entering her vaginally
17 from the rear and he told her that he -- he told me
18 that she had pulled the shirt up over her head and
19 she had something else, he didn't know if it was her
20 top or if it was just -- just what it was, because he
21 said it was very dark in there, but she had used
22 something to put around her mouth in sort of a gag
23 fashion and she wanted him to hold it and to pull on
24 it and to ride her like a horse.

1 He said that she was bent over from
2 the knees, he did enter her and he ejaculated inside
3 of her.

4
5 Once again she asked him not
6 to say anything to anyone.

7 He said that he left the garage and
8 went to a park, I believe at 123rd Street.

9 Q And did he say what he was going to do
10 there at the park, then?

11 A I don't know if he told me that.

12 MR. CASSIDY: No further questions, Judge.

13 THE COURT: Cross?

14 CROSS EXAMINATION

15 BY

16 MS. PLACEK:

17 Q Officer, approximately how long did you
18 speak to Mr. Hendricks?

19 A Probably about a half an hour.

20 Q And, Officer, am I correct that assuming,
21 or let me ask you this.

22 Is it correct in saying that Mr.
23 Hendricks admitted having consensual sex with the girl,
24

1 is that correct?

2 A Yes.

3 Q She admitted that she went with him
4 voluntarily, correct?

5 A Yes, she did.

6 Q He never admitted killing her?

7 A No, he didn't.

8 Q He didn't say anything about that, did he?

9 A No, he didn't.

10 Q He said he went freely into the garage,
11 correct?

12 A Yes.

13 Q And did he give an address for the
14 garage?

15 A I don't believe he gave the exact address,
16 but the garage that we were talking about, he said
17 later he had seen the following week, he had seen
18 her body in that garage.

19 Q When you say the following week, did he
20 give you a day?

21 A Yes, Wednesday or Thursday, which would
22 have been the week prior to the day, or I am sorry, the
23

1 week after she was reported missing.

2 Q So, he said that actually that he didn't
3 see her until approximately a week after she was
4 reported missing, correct?

5 A He saw her on the day that she was reported
6 missing and then the next time he saw her body was in
7 the garage and that was either Wednesday or Thursday
8 on the week following her being reported missing.

9 Q Thank you.

10 Now, Officer, as a matter of fact,
11 when you spoke to the Defendant for the half an hour,
12 he never said he harmed the girl in any way, did
13 he?

14 A No.

15 Q No, I am incorrect or no, I am
16 correct?

17 A No, you are correct.

18 Q And, Ma'am, I take it likewise that
19 you never made a report in this -- Well, when I
20 say you never made a report, you never made a verbatim
21 report of this conversation you had with the Defendant,
22 did you?

23 A No, I have notes that were written during
24

1 the conversation with him.

2 Q When you say "notes that were written,"
3 would those be the general progress report?
4

5 A Yes, it would.

6 Q How many pages or page is reflected by that
7 15 minute conversation?

8 A I believe there are two pages.

9 Q And am I correct in saying that,
10 in fact, you were writing while Jerome was
11 speaking?
12

13 A At some times, yes.

14 Q And am I correct in saying, quite
15 frankly, your G.P. notes or General Progress Notes,
16 like most G.P. Notes, are partial sentences?

17 A Yes.

18 Q Abbreviations?

19 A Yes.

20 Q Never verbatim?

21 A No, they are verbatim statements.

22 Q When you say "verbatim," did you ever
23 say I said this to him, to which he responded this?
24

A No, I didn't.

1 Q As a matter of fact, it's a summary of
2 your conversation with him, correct?

3 A Yes.

4 Q Did you ever, as a matter of fact, when
5 Mr. Hendricks said that he saw Ms. Johnson on
6 August 1st, he said he saw her before she was
7 reported missing, correct? If you can recall?
8

9 A I didn't recall.

10 Q And let me also ask you this.

11 To the best of your knowledge, you
12 said that he said after he had sex with her, that
13 he went to a park, correct?
14

15 A He said he went, I don't know if he said
16 he went to the park or he was on his way to the
17 park.

18 Q I think you mentioned 123rd, a park on 123rd?

19 A That is what is written there, that
20 is correct.

21 Q If you say that is what is written there,
22 are you saying that you are basing your testimony, and
23 after refreshing it, off of your notes?
24

A Yes.

1 Q Am I correct in saying that the park on
2 123rd is West Pullman Park?

3 A That is correct.

4 Q Thank you.

5
6 By the way, do you know how many
7 police officers spoke to the Defendant before you spoke
8 to the Defendant, if you remember?

9 A I don't recall, no.

10 Q Do you recall whether or not you would
11 have known such information at the time that you
12 spoke to him that date and time in question?

13 A Well, at that date and time, I knew he
14 had been arrested the night before and I knew that
15 there were Detectives involved in that. I knew he
16 had been to the Polygraph Section.

17 MS. PLACEK: Well, motion to strike as to the
18 Polygraph, Judge.

19 THE COURT: Answer not responsive, so it's
20 stricken.

21 MS. PLACEK: Q By the way, you said that
22 he was arrested the night before. Approximately what
23 time?
24

1 MR. MURPHY: Objection, Judge.

2 MS. PLACEK: If she knows.

3 THE WITNESS: I don't recall.

4 THE COURT: What is the basis of the objection?

5 MR. MURPHY: Withdrawn, Judge.

6 MS. PLACEK: Q And to the best of your
7 knowledge, Mr. Hendricks, from the night before until
8 until you saw him the subsequent evening, some 24
9 hours later, was in continuous police custody, correct?
10

11 MR. MURPHY: Objection, Judge.

12 MS. PLACEK: If she knows.

13 THE COURT: What is the basis of your objection?

14 MR. MURPHY: Relevance, Judge.

15 MS. PLACEK: As to the weight to put on the
16 statement.
17

18 MR. MURPHY: Whether he is in custody or not in
19 custody?

20 THE COURT: Well, I sustained a number of
21 objections along that line, Mr. Murphy, on the grounds
22 that there is no Fourth Amendment violation that is
23 still alive in this case, but on the other hand, the
24 Defendnat has a right to ask the trier of fact to take

1 into consideration the circumstances under which
2 the statement was made in order to assess what weight to
3 be given to it and in assessing the totality of the
4 circumstances surrounding the giving of the
5 statement, whether or not he was in custody and
6 coerced, if there was any, or whether or not he
7 was arrested or not arrested or his circumstances of
8 being in the police facility could become relevant to
9 that and after further reflection on that
10 aspect of the relevancy of the question, the objection
11 is overruled.
12

13 MS. PLACEK: Thank you, your Honor.
14

15 You knew that by the time that you
16 got him, he was in continuous police custody for over
17 24 hours, correct?

18 THE WITNESS: That is correct.
19

20 MS. PLACEK: Q You knew he was being constantly
21 questioned, correct?

22 A Not constantly questioned, no.

23 Q Well, let me ask you this.

24 Do you know whether or not five or
six or seven Officers had questioned him before you

1 questioned him?

2 A I don't know the exact number, no.

3 Q But you knew there was more than, let's
4 say, four?

5 A Yes, I knew that because I knew of the
6 Officers that were involved in the investigation.

7 Q By the way, approximately how many
8 officers were involved in this investigation?

9 A From our unit or --

10 Q If you know, in total?

11 A In total, I haven't any idea.

12 Q By the way, after your conversation with
13 the Defendant, did you have an opportunity to
14 call the State's Attorney?

15 A Yes.

16 Q Thank you.

17 That is all I have, Judge.

18 THE COURT: Redirect?

19 MR. CASSIDY: No further questions, Judge.

20 THE COURT: Thank you, Ms. Ryan, you may step
21 down.

22 (Witness excused.)

1 THE COURT: Before you call your next witness,
2 we will take a five-minute recess.

3 MR. MURPHY: Judge, actually we have no more
4 witnesses.

5 THE COURT: You don't have any more witnesses
6 for today?

7 MR. MURPHY: We had a witness that was here
8 today, we expected to call.

9 THE COURT: I saw her and she told me she
10 had an obligation at the Civic Center.

11 You are talking about Demacopoulos?

12 MR. MURPHY: Yes.

13 THE COURT: Assistant State's Attorney?
14 Counsel, would you approach the
15 Bench.

16 (Whereupon, a discussion
17 was had off the
18 record.)

19 THE COURT: As to Mr. Hendricks, Order of
20 Court, February the 19th.

21 See you then, Mr. Hendricks.
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(Which were all the pro-
ceedings had in this
matter at this time.)

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STATE OF ILLINOIS }
COUNTY OF COOK } ss

I, AURELIA PUCINSKI, Clerk of the Circuit Court of Cook County, in said County and State, and Keeper of the Records and Seal thereof, do hereby certify the above and foregoing to be a true, perfect and complete copy of . . . VOLUME SIX . . . OF A SIX VOLUME . . . RECORD CONSISTING OF THE REPORT OF PROCEEDINGS, ONLY. NO PRAECIPE HAVING BEEN FILED . . . PURSUANT TO THE NOTICE OF APPEAL FILED IN THE APPELLATE COURT UNDER APPELLATE COURT NO. . 95-0474. . .

in a certain cause . . . LATELY . . . pending in said Court, between The People of the State of Illinois. . . WERE. . . , Plaintiffs and JEROME HENDRICKS . . . WAS . . . , Defendant. . .

Witness: AURELIA PUCINSKI,

Clerk of the court, and the Seal thereof, at Chicago

In said County, . . . JUNE .25, . . . , 19 96. .



Aurelia Pucinski

Clerk

AURELIA PUCINSKI, CLERK OF THE CIRCUIT COURT OF COOK COUNTY